IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION NO : 23818 of 2004**

Between:

M/s.Red Knight Bar &Restaurant a Partnership firm rep by its Parner Mr.B.Srinivas Yadav Kumar, S/o.B.Mallesh, R/o.Hyderabad, situate at
Premises No.12-11-1558, Boudha Nagar, Secunderabad.

**... PETITIONER**

AND

1 The Commissioner of Police, Twin-cities,
Hyderabad.
2 The Deputy Commissioner of Police,
North Zone, Hyderabad.
3 The Station House Officer, Chilakalaguda Police Station
Chilakalaguda, Hyderabad.

**...RESPONDENTS**

Petition filed under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pleased to issue any appropriate writ, order or direction, preferably a writ in the nature of Writ of Mandamus, declaring the order in proceeding No.L&O/A3/1524/2004 dt 28-8-2004 issued by the 1st Respondent as being illegal, arbitrary and violative of Articles 14 and 19 of the Constitution of India and consequently suspend the said order and also direct the 1st respondent to forthwith grant Amusement License to the petitioner firm to hold Music and Singing by engaging male and female singers in its Bar and Restaurant for the year 2004 and pass such other order or orders.

**Counsel for the Petitioner:MR.P.VENUGOPAL**

**Counsel for the Respondent Nos.1 to 3: GP FOR HOME**

**The Court at the stage of admission made the following :**

**ORDER:**

The petitioner applied to the 1st respondent for grant of amusement licence under Hyderabad Secunderabad Amusement Rules. Through an order dated 28-08-2004, the 1st respondent rejected the application. The petitioner challenges the same.

Learned counsel for the petitioner submits that the 1st respondent rejected the application on two grounds, viz., that the parking area is not sufficient, and that the grant of licence may result in law and order problem; and that both grounds are either non-existence or irrelevant. He contends that the petitioner provided adequate parking place, and that the question of emergence of law and order problem does not arise, because the petitioner is yet to conduct its activities.

Learned Government Pleader for Home, on the other hand, submits that the application was for the period from 01-01-2004 to 31-12-2004, and since the year itself has come to an end, nothing remains to be adjudicated in this writ petition.

The application of the petitioner was for a period of one year ending with 31-12-2004. This Court would certainly have gone into the validity of the reasons, on the basis of which the 1st respondent rejected the application, but for the fact that the period itself has come to an end. The petitioner can certainly make an application for the next year, and in such an event, the application needs to be considered, independently, and uninfluenced by any findings recorded by the 1st respondent. It is also made clear that if the 1st respondent entertains any doubt as to compliance of conditions by the petitioner, he shall require him to place such additional material, as is required. In the event of the petitioner submitting an application, appropriate orders thereon shall be passed, within a period of four weeks from the date of presentation.

The writ petition is disposed of accordingly. There shall be no order as to costs.

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**L. NARASIMHA REDDY, J.**

**Dt.30-12-2004.**

*C.C. tomorrow.*

*(B/o)*

*KO*

To

1 The Commissioner of Police, Twin-cities,
Hyderabad.
2 The Deputy Commissioner of Police,
North Zone, Hyderabad.
3 The Station House Officer, Chilakalaguda Police Station,
Chilakalaguda, Hyderabad.

4 2 CCs to G.P.for Home, High Court of A.P., High Court Buildings,

Hyderabad (OUT).

5 2 CD copies